

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Andrew H. Segal

Serial No.: Not yet assigned

Filed: May 26, 1999

Entitled: Cytokine Coated Cells and Methods of Modulating an Immune Response to an Antigen

Attorney Docket No.: 3378/80489

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(d) AND 1.27(d)) -SMALL BUSINESS CONCERN**

I hereby declare that I am an official empowered to act on behalf of the small business concern identified below:

Name of Organization: **Genitrix**

Address of Organization: **160 Second Street, Cambridge, MA 02142**

I hereby declare that the small business concern identified above qualifies as a small business concern as defined in 37 C.F.R. § 1.9(d) for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled

Cytokine Coated Cells and Methods of Modulating an Immune Response to an Antigen  
by inventor(s) Andrew H. Segal

described in

- ☒ the specification filed herewith  
☐ Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern with regard to the above-identified invention.

If the rights held by the above identified small business concern are not exclusive, each individual concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).

Andrew H. Segal  
NAME OF PERSON SIGNING

President  
TITLE IN ORGANIZATION

160 Second Street, Cambridge, Ma 02142  
ADDRESS

SIGNATURE

DATE

569250-0687260

DECLARATION AND POWER OF ATTORNEY  
FOR A PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Cytokine Coated Cells and Methods of Modulating an Immune Response to an Antigen**

the specification of which:

(check one) ☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority  
Claimed

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year filed) ☐ ☐  
Yes No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

60/086,780      May 26, 1998  
(Application Number)      (filing date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States Patent application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

---

(Application Serial No.)      (Filing Date)      (Status: patented/pending/abandoned)

---

(Application Serial No.)      (Filing Date)      (Status: patented/pending/abandoned)

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Kathleen M. Williams      Reg. No. 34,380  
Peter D. McDermott      Reg. No. 29,411  
John P. Iwanicki      Reg. No. 34,628

Send Correspondence to:      Kathleen M. Williams, Esq.  
   Banner & Witcoff, Ltd.  
   28 State Street  
   Boston, MA 02109

Direct telephone calls to: Kathleen M. Williams at telephone: (617) 227-7111.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor      Andrew H. Segal

---

First Inventor's signature      Date  
Residence      Cambridge, Massachusetts  
Citizenship      USA  
Post Office Address      160 Second Street, Cambridge, MA 02142